

Message

From: Wade, Alexis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5C9FBA2EF8444572A39185242B70593B-WADE, ALEXIS]
Sent: 8/28/2020 2:58:50 PM
To: Fotouhi, David [fotouhi.david@epa.gov]
CC: Steven Neugeboren [Neugeboren.Steven@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]
Subject: FW: Draft FR notice acknowledging Florida's 404 submission
Attachments: FLassumptionFedRegNotice 082820draft.docx

Hello David – OGC needs to provide final concurrence to the region on the FR notice of Florida's submission. The region is asking that we concur today so they can begin routing the package today. Were you planning to review? If not, can you please delegate concurrence to WLO? The version attached has edits from Dave.

Thank you,
Alexis

Alexis Wade
Attorney-Adviser
Water Law Office
EPA Office of General Counsel
(202) 564-3273

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Tuesday, August 25, 2020 6:01 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Subject: RE: Draft FR notice acknowledging Florida's 404 submission

David, we have had a few discussions with CCILo staff and propose:

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I welcome your thoughts. We can discuss at Reg Review if helpful. (I will be out of the office Weds-Fri, but will be able to check email occasionally and call in to discuss.)

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Tuesday, August 25, 2020 11:22 AM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>
Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Subject: RE: Draft FR notice acknowledging Florida's 404 submission

Thank you!

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Tuesday, August 25, 2020 11:21 AM
To: Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
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Thanks. I talked to Noelle Green in CCILO yesterday, and she thought that, as a legal matter,

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We are still working through these issues with OW, but just wanted to give you a heads up that we're working through it before you review this document. We'll follow up with more information via email or set up time to chat if need be.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>

Sent: Tuesday, August 25, 2020 11:15 AM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>

Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>

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Thanks.

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Ex. 5 AC/DP

I don't need to see the other documents.

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>

Sent: Tuesday, August 25, 2020 11:10 AM

To: Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>

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Yes.

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Ex. 5 AC/DP

By the way, there are also a number of other documents going out – consultation letters to tribes, letters to interested parties, etc. They generally mirror the FR notice, except are much shorter, so I assumed you did not need to review, but let me know if you'd like to see them. Thanks!

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>

Sent: Tuesday, August 25, 2020 11:04 AM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>

Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>

Subject: RE: Draft FR notice acknowledging Florida's 404 submission

Thanks, Simma. Have you checked how we handled this for Michigan and New Jersey?

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>

Sent: Tuesday, August 25, 2020 11:00 AM

To: Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>

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David,

Attached for your review is the draft FR notice acknowledging receipt of Florida's package and the beginning of EPA's 120-day review period. We may still make one or two last tweaks, but this is substantially what the program plans to send to the RA and AA for review.

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We will continue to explore options with OFR and OW, and are happy to discuss at any time. Thanks for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105